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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,282	06/05/2006	Kazuhisa Tsuchiya	450100-05087	1984
7590 William S Frommer Frommer Lawrence & Haug 745 Fifth Avenue New York, NY 10151				
EXAMINER				
BLACK, LINH				
ART UNIT		PAPER NUMBER		
2163				
MAIL DATE		DELIVERY MODE		
06/26/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/552,282

Applicant(s)

TSUCHIYA ET AL.

Examiner

LINH BLACK

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 10/3/05, 6/4/07
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This communication is responsive to the application filed 10/3/05. Claims 1-12 are pending in the application. Claims 1, 6, 8-12 are independent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Levy et al. (2002/0033844).

As per claims 1, 8, 10, Levy et al. teach
a first routine of detecting an identification data item for identifying a predetermined data item from a target data having a plurality of module data respectively including said predetermined data item and said identification data item – pars. 22, 51, 55, 79, 196-197.

a second routine of signaling to a data-using entity of the predetermined data that said identification data item has been detected in said first routine – pars. 88, 101, 180-101.

As per claim 2, Levy et al. teach

in response to a request from said data-using entity, supplying said data-using entity with said predetermined data item from within said module data and said identification data item having been detected in said first routine – pars. 11, 161-162, 172-176.

As per claim 3, Levy et al. teach

wherein said second routine signals to said data-using entity only if the identification data item designated beforehand by said data-using entity has been detected in said first routine – pars. 196, 200-201, 211-212.

As per claim 4, Levy et al. teach

wherein said second routine, based on said identification data item, gives said data-using entity the signal designating an attribute of the module data formed by said detected identification data item – pars. 34, 39, 107.

As per claim 5, Levy et al. teach

wherein said identification data item is detected from said target data, said target data comprising: first module data including content data as said predetermined data item,

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and second module data including attribute data of said content data as said predetermined data item – pars. 90, 101, 162, 168.

As per claims 6, 9, 12, Levy et al. teach

a first routine of requesting a predetermined data item from a data provider providing said predetermined data item -

a second routine of receiving said predetermined data item from said data provider in response to the request made in said first routine – pars. 31, 55, 122.

a third routine of generating module data including said predetermined data item received in said second routine and an identification data item for identifying said predetermined data item – pars. 104, 211-213.

a fourth routine of generating data having a plurality of said module data generated in said third routine – pars. 39, 129.

As per claim 7, Levy et al. teach

a fifth routine of receiving attribute data indicating an attribute of content data, and

a sixth routine of generating first module data including said attribute data, which is received in said fifth routine, as said predetermined data item – pars. 34, 39, 90, 101, 211.

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wherein said first routine requests said content data from said data provider – pars. 44, 70, 119, 111.

said second routine receives said content data from said data provider in response to said request made in said first routine – par. 162.

said third routine generates second module data including said content data, which is received in said second routine, as said predetermined data item – pars. 31, 55, 122.

said fourth routine generates data having said first module data generated in said sixth routine and of said second module data generated in said third routine – pars. 39, 104, 129, 211-213.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Wilson Lee/
Primary Examiner, Art Unit 2163

LINH BLACK
Examiner
Art Unit 2163

June 17, 2008